

**True and full A C C O U N T, of the Barbarous and  
Bloody Murther of Capt. FOX, sometime since War-  
den of the FLEET, under John Tilly Esq; upon  
Kilfale-Heath in Shropshire, the 22d. of October last.  
19. Decemb 1704.**

**I** Shall not detain the Reader with a long Preface of the loud-Crying and detestable Sin of Murther, in it self so inhumane and unnatural, which we read so much of in Sacred History, and of the Divine Hand of Providence, which still pursues for Justice; but only proceed to the Matter of Fact, with a brief Account of the Manner and presumed Occasion of this poor Gentleman's sudden and cruel End; as appears by the Coroner's Inquest, Affidavit, and several Letters, with Relation of it to several Persons in Town; the Originals being now in the Hands of Mr. Winkewirt at Clerkenwell.

**M** R. Thomas Fox, lived lately at Muxton, in the County of Salop; a Gentleman of an ancient Family, and well respected in his Country; and by his Death, his Family have lost near 300*l.* per Ann. and his Wife was Aunt to John Tilly Esq; Superior Warden of the Fleet; who some Years since, made the said Capt. Fox his Deputy-Warden, where he officiated for some time, all the ill Practices of some Managers committed in the Execution of the said Office, Capt. Fox being obliged to answer for all Escapes, had impaired and almost ruined his Fortune.

Capt. Fox endeavouring to preserve what he had left, made some Agreement with Mr. Tilly, for to have an Allowance of 150*l.* for Life, pay'd by Mr. Tilly out of the Office, and took a Bond of 1500*l.* from Mr. Tilly, to indemnify him from all Escapes that had been committed in his time; and so retired to live in the Country upon his Estate, and the 150*l.* per Ann. to be pay'd as above-mentioned by Mr. Tilly. Notwithstanding the good Intentions of Mr. Fox's Retirement and quiet Living, he met with many Troubles upon the Account of the Escapes committed in the Office in his Life. And Mr. Tilly not performing his Covenant, in indemnifying him from the Escapes, nor paying the Annuity of a 150*l.* per Ann. obliged Mr. Fox to sue Mr. Tilly in the Court of Exchequer for the same; and coming up to London to solicit his Affairs himself, being to have a Tryal with Mr. Tilly the first Week in Term, for his Security of 150*l.* per Ann. upon Sunday, October 22. set out from home for his Journey, not suspecting any evil Design against him; but as appears by the following Letters that one, Mr. Cotton, an Inn-keeper in Tong, in the County of Salop, had been practising with Mr. Tilly, to betray Capt. Fox into his Hands; and one time; and writ a Letter to Mr. Tilly, to send him the Doctor, meaning one Low, and he would betray Fox to him.

Accordingly Low was mounted upon a Horse of Mr. Tilly's, went down, and was lodged with one Mr. Cotton, an Attorney of Newport, in the County of Salop, at the said Black's House, where they waited Capt. Fox's Coming, that being his Road to London. The Landlord Black waiting, and seeing him near, steps to the Door, greets him, smiles like, in a Friendly Manner, saying, He heard he was going to London, drank to him on Horse-back, and wished him a good Journey, and so Capt. Fox rid on his way; immediately after, the said Low and Cotton pursued him; and in a narrow Lane, leading to Kilfale-Heath, in the Road, the said Cotton and Low, were observed to turn back to a Corner thereof, and stood peeping over the Hedge; and after that, they went on about a Hundred Yards farther, made another Stand, close up to the Hedge, examining their Pistols, and so turned into the Heath, and soon overtook Capt. Fox; and without giving any Notice or speaking a Word to Capt. Fox, as is presumed on all Hands, first one shot at him, then the other, and down poor Capt. Fox fell from his Horse, without time to say any more that was heard, than thrice, Lord, Lord. Cotton and Low, alighted from their Horses, to see to get him up again, but too late, he was quite dead; Low seeing that he was dead, takes the Captain's Pistols from his Horse, and endeavour'd to make his Escape. But the Noise of firing the Pistols, had alarmed the Country, which with the Suspicion of Cotton and Low's Behaviour aforesaid, observed particularly by Richard Whiston, who went to the next Neighbouring House, and got a Fowling-Piece, and upon Low's Sight, brought him back to his Partner Cot-

ton, where he found him with the Body of Capt. Fox, endeavouring to hit up the Body, and get some Blood out of his Mouth. Upon which Low said, That the dead Man had shot at them first; and confessed that the Pistols he had under his Coat, were the said Fox's Pistols; and that he had took them from him, they were both charged and primed. And then Low said, Fox had other Pistols about him, but upon Search he had none. Other Company coming in by that time, they searched Low and Cotton, and found two Pistols upon them, both newly discharged; and they both confessed they shot at Fox, but could not tell which killed him. And so the said Cotton and Low were secured and sent to Shrewsbury Goal, in Order to be tryed and receive their just Reward for so notorious a Fact.

*An Abstract of the Coroner's Inquest;*

**T**AKEN at Tong, in the County of Salop, Obo. 23. in the Third Year of Queen A N N E, before John Edwards Gent. one of the Coronors for the said County of Salop, upon the View of the Body of Thomas Fox, late of Muxton, in the said County of Salop Gent. lying dead upon Kilfale-Heath, in the Parish of Dunnington, in the County of Salop aforesaid; and upon Enquiry when, how, and which way, the said Thomas Fox came by his Death; the Jury upon Oath, do find, that it thus happened, viz. That the said Thomas Fox on the 22d. instant Obober, at Four a Clock in the Afternoon, all alone riding upon the Queen's High Way towards the Bowling-Green House, upon Kilfale-Heath aforesaid, in the Parish of Dunnington, and County aforesaid, Thomas Cotton, late of Newport, Gent. and Richard Low, late of Lincolnshire, Coffee-House in Chichester's Rents, near Chancery Lane, London, Coffee-man; did then and there, wilfully and maliciously Shoot and Murther the said Thomas Fox. And they find the said Cotton and Low, possessed of one Mare, and one Gelding, left in the Hand of Richard Whiston Constable; and that the said Richard Low, then and there had robbed the said Thomas Fox, of a Case of Pistols of 50*l.* Value, which were deliver'd into the Custody of the said Richard Whiston Constable; which said Inquisition wastaken, and signed by Seventeen Jurors.

An Abstract of several Letters, writ up to Persons in Town, with a Relation of the said Murther as follows, viz.

**Obo. 28. 1704. Letter I.**

**G**OOD Cousin,  
ON Sunday Evening last, honest Capt. Fox was killed, by one Cotton, of Newport, and a Londoner, (whose Name I know not) but hear it was a Person employ'd by the Warden of the Fleet. I am heartily sorry to hear of the sad Accidents; for it was a barbarous Murther, for which they are sent to Shrewsbury Goal, where I hope they will receive their just Reward.

**Novemb. 6. 1704. Letter II.**

**W**HAT I hear farther about Mr. Fox's Murther, is this, The Capt. had been at Tong, and riding thence with a Case of Pistols before him, on Kilfale-Heath, on Sunday Evening, the 22d of October, one Cotton, and one Richard Low, formerly an Apothecary, but now a Coffee-Man in Chichester Rents, near Chancery Lane, was with him; each Arm'd, and at it is said, bid Capt. Fox surrender himself, for they had a Warrant against him, from the Warden of the Fleet; but when they were Examined, the said Capt. Fox called them Rogues, and both Confessed that they shot at him, and he fell dead from the Horse. The Witnesses that took Low, heard two Pistols go off, and saw Capt. Fox fall, and told some People, he fear'd some mischief was done; he took Low in a Lane, near where the Murther was committed, with Capt. Fox's Pistols in his Bosom, not discharged; and so both were seiz'd and sent to Goal, where I hope they will meet with a just Reward.

**Novem. 9. 1704. Letter III.**

**S**ir,  
UPON Sunday Evening, 4 a Clock, the 22d. of October, 1704. at I am credibly inform'd, one Cotton,

an Attorney of small Practice, and a Man from London, his Name not known yet, happened to be at Mr. Blockley's an Inn-keeper in Tooting; at which time Brother Fox came to the door, but did not alight; immediately after these Men took their Horses and followed him, and shot him thro' the Arm into the Belly, and afterwards into the Back; he had Pistols, but not unloaded, so it is believed they kill'd him as soon as they overtook him; the Londoner fled, but miss'd his way, and got near a Constable's House, who, having heard Pistols discharged, stop'd him; the Londoner fired at him, but the Constable shot him, and more Company coming in, they went to the Place where Mr. Fox lay dead, they found the other Rogue pulling Blood out of his Mouth.

November 4. 1704. Letter IV.

Upon Sunday, the 22d. of October, Capt. Fox set forward towards London, of which Mr. Blockley, an Inn-keeper in Tooting, gave Notice to Mr. Low; so Low and he went on Saturday to Newport, and invited Mr. Cotton and two or three more, to eat a fat Goose on Sunday, which day Capt. Fox dined at Mr. Lewelling's, and after dinner call'd at Blockley's, who instigated Low and Cotton to dog him out of Town; a little before they came up with him, a Tooting Man saw them examine their Pistols, and Capt. Fox went out of his design'd Road, before they overtook him, mistrusting them, as it is believ'd; Low shot at him, as it is supposed, before he spoke to him, for the Bullet went in behind his Arm, and came out at his Sleeve; and the other shot him thro' the Arm into his Body; and the Man thus was near, heard him cry O Lord three times before he fell; as soon as he was fallen, Low took his Pistols and rid towards Tooting; he that heard the Pistols go off, and saw this, run in for his Gun, and stop'd Low; Low swore he would kill him, but the Man being Constable seiz'd him, and took the Captain's Pistols from him, being both loaded, and made him go back to the Place, where the Capt. lay dead; when they were before the Coroner, the Coroner's Jury found a Letter in Low's Pocket, that Blockley writ to Mr. Tilly, to send the Doctor down (meaning Low) and he would betray him into his hand; for Low and he, and another, had been several times to take him, but miss'd him; To Conclude, the Coroner's Jury found it misfit Quarter against them; he that took Low, will indict him for Robbery, for taking the Capt. Pistols, and Cotton, for taking the Capt. Silver Tobacco Box; and all the Country believe that Low was sent down on purpose to kill the Captain: The Captain being very well belov'd in this County, is very much Lamented; his Family, by his death, hath lost 200l. per An. besides some Lessee. It is to be Noted, that Blockley took his Oak before the Coroner, that he knew nothing of the Matter, either directly or indirectly, yet after that, his own hand Writing to Mr. Tilly, was found in Low's Pocket, to invite him down to take him.

Novem. 13. 1704. Letter V.

Upon Sunday the 29d. of October, 1704. Your Uncle Fox riding thro' Tooting, Blockley fluried him, saying I hear you are going to London, drank to him on Horseback; so the Capt. rid on, and Thos. Cotton, and Richard Low, who staid in Blockley's House, pursued after him; Low shot the Capt. thro' the sleeve, on the right side, and the other thro' the Breast into the Heart: The first Witness saith, He saw one fall, and he, and others running to them, saw it was your Uncle; and Cotton holding him up, your Uncle saying three times, O Lord; Low had your Uncle's Pistols in his Bosom, and riding off, but the Constable stops him, and so both were taken.

P. S. In your Uncle's Pocket, there was 12l. in Money, and upwards, and his Tobacco Box of Towse-John, stipp'd with Silver, with King William and Queen Mary's Head upon it, which was found in Cotton's Pocket.

Muxton, Novemb. 8. 1704. Letter VI.

I Doubt, not but you have heard how Mr. Tilly sent his own Men to Barbarously Murder my Dear Father; he has no only taken his Life, but undone all his poor Children, &c.

Letter VII.

Sir, By your Letters I receiv'd, and Saturday last Mr. Lewelling, and I, went to Bridgnorth, to Mr. Edwards the Coroner, and got a Copy of the Inquisition; he has had three or four Letters from London, to send up Copies of the Evidence and Inquisition; one was from one Kynaston, I believe Tilly's Agent; he promises he will not send any. Upon Monday, Mr. Lewelling and I went to Hampton, and

took one of the Witnesses with us, who made the following Affidavit. The Goler keeps them without any Locks; I wish you would move the Court, and get an Order for a stricter Confinement, lest they make their Escapes; for the Goler is none of the best.

Blockley, the Inn-keeper of Tooting, was the Villain that Concerned this Matter, as by a Letter found in the Pocket of Low, after he was taken, Directed to Mr. Tilly, manifestly appears, tho' he denied it upon Oath, before the Coroner, that he knew directly or indirectly any thing of the Matter: I shall in all things be Careful and Free to do what I can to serve you, and to bring the Villains to their due Deserts, who am, &c.

Blockley is a grand one, and spares no pains to do as directed.

It would be very fitting this Matter were Printed.

An Affidavit taken of the Matter in the Queen's Bench. Richard Whiston, of Killalee, in the Parish of Dorington in the County of Salop, Yeoman, states Oath, that on Sunday, the 22d. of October last past, about four a Clock in the Afternoon, He, this Deponent, did see two Men riding on the Road-way in Killalee, aforesaid, and enriv'd into a Lane that leads into a Heath, there called Killalee Heath; and after they had gone a little way in the Lane they turned back to the Corner thereof, and stood peeping over the Hedge, and after they went on the Lane, about an Hundred Yards, and made another stand close up to the Hedge; upon which this Deponent suspecting they had some Evil Design, he was led them, and at the other end of the Lane he saw them turn into the Heath, and within a short time after, he heard a Pistol go off in the Heath, upon which this Deponent run that way, and immediately heard another Pistol go off; and when this Deponent had enriv'd the Heath, he saw one Man getting off his Horse, and went a little further and saw three Men off their Horses, and two of them heaving at the other: Upon which this Deponent suspecting there was Murder committed, and having nothing in his hand, he run back to this Deponent's Father's House, at the other end of the Lane, and seiz'd out a Gun, and told his Brother, he thought there was a Man kill'd, and both of them run towards the Heath; and at this Deponent enriv'd the Heath, he met one of the aforesaid two Persons, whom after this Deponent was inform'd, was Richard Low, come galloping a great Pace, upon which this Deponent seiz'd him, and charg'd him in the Queen's Name to stand, telling him he was the Queen's Officer, (this Deponent being Constable) upon which the said Low stumbled in his Bosom, under his Coat, where he had a Case of Pistols charg'd; upon which this Deponent threaten'd to shoot him if he would not surrender himself Prisoner. And this Deponent took him back into the Heath, where they found Mr. Thomas Fox, late of Muxton, in the said County, dead, being shot into the Body, and one Cotton with him: Upon which Low said, That the dead Man was shot at them first, and Confessed that the Pistols that Low had under his Coat, were the said Fox's Pistols, and that he had took them of him: Thereupon this Deponent seiz'd the Pistols, and they were both charg'd and primed, and then Low said, Fox had other Pistols about him. And he this Deponent searched him, but he had not any; and there being Company with this Deponent, they searched Low and Cotton, and found two Pistols upon them both newly discharged; and they both confessed they shot at Fox, but could not tell which killed him.

Upon the Refusal of the whole Matter, I cannot learn, that in Truth Capt. Fox was ever a Prisoner in the Fleet; and therefore it seems a very odd Practice, that the Justice of the Nation, and Authority and Power of an Office, should be thus abused, to be the Author of so Cruel and Barbarous a Murder.

I find in King Charles II'd's time, upon Complaint of several notorious Abuses committed in the Execution of the Office of Warden of the Fleet; the Judges of the Court of Common Pleas, enquired and examined into the several Faults; and publicly declared the Warden to be a very ill Man, and directed the Warden to be Indicted for the Murder of one Mr. Brown, who died for Want of Victuals, which the Warden refused to let be brought to him. They have also denyed the Sacrament to others on their Death Bed; and other Inhumanities not fit to be mention'd in a Christian Country.

I hope these Barbarities, will at last so far open the Eyes of Justice, and Influente Authority, that there may be some effectual Care taken, to have the Criminals brought to condign Punishment; and that for the future, the publick will so far interpose, that these enormous Grievances may be redress'd, which the People have so long thus groan'd under.